

BILL NO. 90-49
(As Amended)

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 90-49 (AS AMENDED)

Introduced by Council President Wilson
at the request of the County Executive
Legislative Day No. 90-25 Date August 7, 1990

AN ACT to repeal and re-enact with amendments, ~~Subsection A of~~
Section 157-23, heading Special Sewer Use Fees, of Article
II, heading Fees, of Chapter 157, heading Licenses and
Permits, all of the Harford County Code as amended, to
increase the permit fees charged some categories of
industrial and commercial users of the County's publicly
operated treatment works, to create a permit fee charged to
a new category of industrial and commercial users and to
make technical corrections to the current law.

By the Council, August 7, 1990
Introduced, read first time, ordered posted and public hearing scheduled
on: September 6, 1990
at: 6:00 P.M.

By Order: Doris Poulsen, Secretary
of

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of
Bill having been published according to the Charter, a public hearing was
held on September 6, 1990, and concluded on, September 6, 1990

Doris Poulsen, Secretary
of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING
LAW. [Brackets] indicate matter deleted
from existing law. Underlining indicates
language added to Bill by amendment.
Language lined through indicates matter
stricken out of Bill by amendment.

BILL NO. 90-49
(As Amended)

Section 1. Be It Enacted by the County Council of Harford County, Maryland, that ~~Subsection A~~ of Section 157-23, heading Special Sewer Use Fees, of Article II, heading Fees, of Chapter 157, heading Licenses and Permits, all of the Harford County Code as amended, be and it is hereby repealed and re-enacted with amendments, all to read as follows:

Section 157-23. Special sewer use fees.

[A. Annual industrial waste discharge permit fee:

(1) Category A: fifteen dollars (\$15.) per year.

(2) Category B: seventy-five dollars (\$75.) per year.

(3) Category C: three hundred fifty dollars (\$350.) per year.]

A. ANNUAL INDUSTRIAL WASTE DISCHARGE PERMIT FEE:

(1) CATEGORY A: TWO HUNDRED FIFTY DOLLARS (\$250.) PER YEAR.

(2) CATEGORY B: FIVE HUNDRED DOLLARS (\$500.) PER YEAR.

(3) (i) CATEGORY C: ONE THOUSAND DOLLARS (\$1,000.) PER YEAR.

(ii) CATEGORY C-C: ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.) PER YEAR.

(4) CATEGORY D: ONE HUNDRED DOLLARS (\$100.) PER YEAR.

B. Annual septage hauler fee: three hundred twenty-five dollars (\$325.).

C. [TA (treatment cost for BOD)] INDUSTRIAL USER/COMMERCIAL USER FEE FOR TREATMENT OF BOD ("T_A): thirty-six dollars and seventy-seven cents (\$36.77) per one thousand (1,000) pounds.

D. [TB (treatment cost for suspended solids)] INDUSTRIAL

1 USER/COMMERCIAL USER FEE FOR TREATMENT OF SUSPENDED SOLIDS ("T_s"):
2 seventy-seven dollars and fifty cents (\$77.50) per one thousand
3 (1,000) pounds.

4 E. [TC (treatment cost for phosphorus)] INDUSTRIAL USER/
5 COMMERCIAL USER FEE FOR TREATMENT OF PHOSPHORUS ("T_c"): four
6 hundred seventy-six dollars and eighty-seven cents (\$476.87) per
7 one thousand (1,000) pounds.

8 F. [TD (treatment cost for flow)] INDUSTRIAL USER/COMMERCIAL
9 USER FEE FOR TREATMENT OF FLOW ("T_d"): one hundred thirty-two
10 dollars and thirty-seven cents (\$132.37) per one million
11 (1,000,000) gallons

12 G. Septage user charge: ten thousand two hundred ninety-
13 four dollars (\$10,294.) per one million (1,000,000) gallons.

14 Section 2. And Be It Further Enacted that this Act shall take
15 effect sixty (60) calendar days from the date it becomes law.

16 EFFECTIVE: December 3, 1990



HARFORD COUNTY GOVERNMENT

July 24, 1990

HARFORD COUNTY DIVISION OF
WATER AND SEWER
Proposal

For Amendment to Harford County Code § 157-23A

SPECIAL SEWER USE FEES

CONTACT

Wayne H. Ludwig, Jr., Chief of Operations, 272-4647

PURPOSE

Subsection A is being amended to increase the permit fee charged to category A through category C industrial users and to add a fee for a new category D of industrial users. These amendments are companion amendments to Harford County Bill _____. In addition, clarifying and corrective amendments are made to Subsection C through Subsection F; the amendments do not change any fees charged, they are merely corrective in scope.

PROBLEM

Under the Federal Clean Water Act, state law and the national discharge elimination system permits issued by the Maryland Department of the Environment to each of the County's four publicly operated treatment works ("POTW"), the County is required to fund and implement an enforcement program for the industrial and commercial users that discharge into the County's POTWs. To date, the County's enforcement program has been funded primarily with fees generated from the residential/domestic users of the POTWs. The enforcement program is necessitated because of the activities of the industrial and commercial users which discharge into the County's POTWs, not the residential/domestic users. The amendments to Subsection A are designed to increase the fees charged to the largest industrial and commercial users who discharge into the County's POTWs, so that they bear a greater portion of the expense associated with the enforcement program and to add a category D to cover those smaller permitted industrial and commercial users, so that they also pay an equitable portion of the enforcement program expenses.

The County's enforcement program, which was established in 1985, was to be funded by fees from industrial/commercial users of the POTWs. However, income from user fees amounts to only \$10,130.00 at the present time, and the enforcement program budget exceeds \$60,000.00. The two major groups of users are the septic haulers and the direct discharge industrial/commercial facilities in the sewer system. Additional funding must be made up from other water and sewer revenues generated from residential/domestic users.

EPA has the authority to fine the County up to \$25,000.00 per day, in addition to other penalties, if it is in violation of its NPDES permit. EPA has begun to aggressively fine and prosecute POTWs that do not have a good enforcement program. If the County is to avoid EPA scrutiny, it must have an adequately funded enforcement program.

PROCEDURE

Direct industrial/commercial users must contribute more to the Program.

Please refer to the amendment for change in fee structure.

The fees were established using following criteria:

- A. Income desired for Program.
- B. Known number of present users.
- C. Predicted number of additional users per year.
- D. Dollar effect on user.

RESULTS

A. Revenue desired	
1. Septic hauler user fees	\$ 6,500
2. Industrial/Commercial* user fees	20,250
3. Septic/holding tank fees	<u>33,250</u>
	\$60,000

B. Known users (IC)

<u>Category</u>	<u>Current Number</u>	<u>Proposed Fee</u>	<u>Revenue</u>
A	12 (17)	\$250	\$3,000
B	13	500	6,500
C	6	1,000	6,000
D	<u>5**</u>	100	<u>500</u>
	36		\$16,000

*IC

**NOW "A" SINCE "D" IS NOT A CATEGORY YET

C. Targeted users (IC) will be permitted in 1990

<u>Category</u>	<u>Current Number</u>	<u>Proposed Fee</u>	<u>Revenue</u>
A	9	250	\$2,250
B	3	500	1,500
C	0	1,000	0
D	<u>5</u>	100	<u>500</u>
	17		\$4,250

TOTAL FOR 1990: \$20,250

D. Future users/year (IC)

<u>Category</u>	<u>Number</u>	<u>Proposed Fee</u>	<u>Additional Revenue</u>
A	4	250	1,000
B	3	500	1,500
C	1	1,000	1,000
D	<u>2</u>	100	<u>200</u>
	10		3,700

CONCLUSION

The new fee structure users will provide more income for the Program.

Direct Industrial/Commercial users will contribute more evenly to the Program compared with the septic haulers.

Haulers: \$325 per year per business

Users: Average \$375 per year per business at present proposal.

ATTACHMENT A
Excerpt from Sod Run NPDES Permit

I. SPECIAL CONDITIONS, continued

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the preceding limitations specified for discharges in accordance with the following schedule:

The effluent limitations must be achieved upon the effective date of this permit.

2. No later than 14 calendar days following each date identified in the above schedule of compliance, the permittee shall submit the required written report of progress or, in the case of specific steps required by identified dates, a written notice of compliance or noncompliance, as appropriate. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled step.

C. PRETREATMENT PROGRAM

The permittee shall operate and maintain the pretreatment program approved on January 16, 1986 by the State of Maryland and/or the U. S. Environmental Protection Agency. The program must comply with 40 CFR 403, the pretreatment requirements of State Regulation COMAR 10.50.01 and the State of Maryland/Public-Owned Treatment Works (POTW) Pretreatment Delegation Agreement signed on March 12, 1986 including but not limited to the following:

1. The permittee is responsible for enforcing pretreatment standards (National Categorical Standards, State Standards and locally developed limits) as required by Section 307 (b) and (c) of the Clean Water Act.
2. The permittee shall maintain adequate funding levels to accomplish the objectives of the pretreatment program.
3. The permittee shall maintain adequate legal authority to implement all aspects of an approved pretreatment program as presented in the permittee's pretreatment submission or any approved modification of such.
4. The permittee shall report to the State of Maryland the pretreatment information required by Item III of the Delegation Agreement.



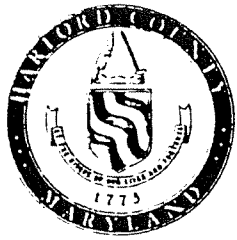
HARFORD COUNTY GOVERNMENT

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PERMIT UPDATE 19 JUNE 90

	<u>PERMIT NO.</u>	<u>"OLD"</u>	<u>"NEW"</u>
1. ALBAN TRACTOR	A-A-001	\$ 75	\$ 100
2. AMR BUD'S CAR WASH	B-A-001	75	500
3. BATA SHOE CO	C-B-001	350	1000
4. BEL AIR FURNITURE STRIPPING	A-B-001	15	250
5. BEL AIR HONDA	A-B-004	15	250
6. BEST DRY CLEANERS	A-B-002	75	100
7. BOETTCHE AMERICA CORP INC	B-B-001	75	500
8. BOX HILL CLEANERS	A-B-002	15	250
9. BOYLE BUICK INC	A-B-003	15	250
10. CITRUS AND ALLIED ESSENCES	B-C-001	75	500
11. CPI CORPORATION	A-C-001	15	250
12. FALLSTON GENERAL HOSPITAL	C-F-001	350	1000
13. FELLOWES WORCESTER DIVISION	C-F-002C	350	1000
14. GLENEAGLES	B-G-001	75	500
15. HARFORD COUNTY - SCARBORO	A-H-001	15	250
16. INDEPENDENT CAN CO	C-I-001	350	1000
17. JOHNSON CONTROLS	A-J-001	75	100
18. KEYSTONE AUTO INC	A-K-002	15	250
19. KROHS CLEANERS	A-K-001	15	250
20. LORD BALTIMORE CLEANERS	A-L-001	15	250
21. MERCEDES-BENZ VPC	B-M-001	350	1000
22. MODULAR COMPONENTS NATIONAL	B-M-001C	75	500
23. MONARCH MANUFACTURING	A-M-002	75	100
24. MOTOR POOL	A-M-001	15	250
25. PARAMOUNT DIE CO	B-P-001	75	500
26. PIER I IMPORTS	A-P-001	75	100
27. SCOTT PONTIAC INC	A-S-001	15	250
28. SMITH A.O. CORP	B-S-001	75	500
29. SULLIVAN GRAPHICS	B-G-001	75	500
30. THOMPSON TOYOTA	B-T-002	75	500
31. TIC GUMS INC	A-T-001	15	250
32. TOLLGATE CLEANERS	B-T-001	75	500
33. VAN BIBBER CAR WASH	B-V-001	75	500
34. WASTE TRON INC	C-W-002	350	1000
35. YONG NAE KIM-NEW PIONEER CL	B-N-001	75	500
36. YONG NAE KIM-L&H CLEANERS	B-L-002	75	500
TOTAL BILLED		<u>\$3,630</u>	<u>\$16,000</u>

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UPDATE 19 JUNE 90

FIRMS TO BE PERMITTED

PROBABLE DESIGNATION

1. Bel Air Copy and Print	A
2. Homestead Publishing	B
3. PIP Printing	A
4. Manufacturing Services, Inc.	A
5. Unicel Corp.	A
6. P.D. Laminates	D
7. Convergence Corp.	D
8. Harbor City Plastics	D
9. Sportech	D
10. Ross Machine	D
11. U.S. Oak	A
12. LAG USA	A
13. Mid Atlantic Label	A
14. Dry Clean USA	A
15. Patti Cleaners	A
16. Astro Car Wash	B
17. Old Line Plastics	B

90-49
(As Amended)



HARFORD COUNTY GOVERNMENT

90-49

(As Amended)

June 13, 1990

DISCHARGE 1990 RECORDS
SEPTIC HAULERS

MONTH	TYPE	GALLONS	REVENUE
Jan	Septic	361,990	\$ 3,724.85
	Holding	417,296	692.70
	Commercial	<u>51,870</u>	<u>544.58</u>
TOTAL		831,156	\$ 4,962.13
Feb	Septic	383,890	\$ 3,950.12
	Holding	438,630	728.12
	Commercial	<u>39,950</u>	<u>422.92</u>
TOTAL		862,470	\$ 5,101.16
Mar	Septic	436,790	\$ 4,494.44
	Holding	472,511	784.36
	Commercial	<u>53,670</u>	<u>563.79</u>
TOTAL		962,970	\$ 5,842.59
Apr	Septic	526,300	\$ 5,414.70
	Holding	431,315	715.98
	Commercial	<u>68,040</u>	<u>711.96</u>
TOTAL		1,025,655	\$ 6,842.64
May	Septic	664,250	\$ 6,834.97
	Holding	414,226	687.61
	Commercial	<u>45,100</u>	<u>464.08</u>
TOTAL		1,123,576	\$ 7,986.66
GRAND TOTAL		4,805,827	\$30,735.18
AVERAGE		961,165 gallons per month	\$ 6,147.04 per month
1990 Projected Totals		11,533,900 gallons	\$73,764.48 revenue

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BY THE COUNCIL

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Read the third time.

Passed: LSD 90-29 (October 2, 1990)

Failed of Passage: _____

By Order

Doris Paulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 3rd day of October, 1990
at 3:00 o'clock P.M.

Doris Paulsen, Secretary

BY THE EXECUTIVE

COUNTY EXECUTIVE

Date 10-4-90

APPROVED:

BY THE COUNCIL

This Bill, (No. 90-49 As Amended), having been approved by
the Executive and returned to the Council, becomes law on October 4,
1990.

Doris Paulsen, Secretary

EFFECTIVE DATE: December 3, 1990